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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLIP D. HURBACE, et al.,

Defendants.

Case No. 2:17-cr-00110-APG-DJA

**Stipulation to Extend Deadline for  
Government's Response to Defendants'  
Opening Brief Re Restitution [ECF No. 509]  
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, through Richard Anthony Lopez and Mina Chang, Assistant United States Attorneys, counsel for the United States of America, Lisa Rasmussen, Esq., counsel for defendant Sylviane D. Whitmore, and Mark D. Eibert, Esq., counsel for defendant Phillip D. Hurbace, that the deadline for the government's Response to defendants' Opening Brief Re Restitution, ECF Nos. 507, 515, currently set for May 29, 2024, ECF No. 508, be extended to May 31, 2024.

This Stipulation is entered into for the following reasons:

- 1           1.     Following the parties' restitution hearing held on May 1, 2024, the Court granted  
2                 defendant Whitmore's request to provide written briefing regarding restitution.  
3                 ECF No. 502.
- 4           2.     On May 14, 2024, the Court granted defendant Sylviane Whitmore's motion to  
5                 extend defendants' filing deadline to May 14, 2024 and government's response to  
6                 May 29, 2024. ECF No. 508.
- 7           3.     Defendant Whitmore filed a Brief Regarding Restitution on May 14, 2024. ECF  
8                 No. 509. On May 26, 2024, defendant Phillip Hurbace filed a Motion for Joinder  
9                 to Co-Defendant Whitmore's Brief Regarding Restitution. ECF No. 515.
- 10          4.     Government counsel needs additional time to complete its research, contact  
11                 victims, and finalize an appropriate response to defendants' brief.
- 12          5.     This continuance is not sought for purposes of delay, but to provide the  
13                 government the necessary time to file an appropriate response.
- 14          6.     The parties agree to this continuance.
- 15          7.     Defendants Whitmore and Hurbace are out of custody and do not object to the  
16                 request for continuance.

17 This is the parties' second request for an extension.

18           DATED this 28th day of May, 2024.

19   Respectfully submitted,

20 LAW OFFICES OF KRISTINA  
21 WILDEVELD & ASSOCIATES

JASON M. FRIERSON  
United States Attorney

22 /s/ Lisa Rasmussen  
LISA RASMUSSEN, Esq.  
23 Counsel for Defendant Sylviane Whitmore

/s/ Mina Chang  
RICHARD ANTHONY LOPEZ  
MINA CHANG  
Assistant United States Attorneys

24 /s/ Mark Eibert  
MARK EIBERT, Esq.  
Counsel for Defendant Phillip Hurbace

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

8 PHILLIP D. HURBACE, et al.,

9 Defendants.

Case No. 2:17-cr-00110-APG-DJA

**Order on Stipulation to Extend Deadline for  
Government's Response to Defendants'  
Opening Brief Re Restitution  
[ECF No. 509]  
(Second Request)**

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13 Based on the parties' stipulation to extend the deadline for the government's Response to  
14 defendants' Opening Brief Re Restitution, and good cause appearing therefore, the Court  
15 hereby finds that:


- 16 1. Following the parties' restitution hearing held on May 1, 2024, the Court granted  
17 defendant Whitmore's request to provide written briefing regarding restitution. *See*  
18 ECF No. 502.
- 19 2. On May 14, 2024, the Court granted defendant Sylviane Whitmore's motion to  
20 extend defendants' filing deadline to May 14, 2024 and government's response to  
21 May 29, 2024. ECF No. 508.
- 22 3. Defendant Whitmore filed a Brief Regarding Restitution on May 14, 2024. ECF No.  
23 509. On May 26, 2024, defendant Phillip Hurbace filed a Motion for Joinder to Co-  
24 Defendant Whitmore's Brief Regarding Restitution. ECF No. 515.

4. Government counsel needs additional time to complete its research, contact victims, and finalize an appropriate response to defendants' brief.
5. This continuance is not sought for purposes of delay, but to provide the government the necessary time to file an appropriate response.
6. The parties agree to this continuance.
7. Defendants Whitmore and Hurbace are out of custody and do not object to the request for continuance.

**ORDER**

**IT IS HEREBY ORDERED** that the deadline for the Government's Response to defendants' Restitution Brief, currently set for May 29, 2024, be extended to May 31, 2024.

DATED this 29th day of May, 2024.



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HON. ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE